

In the Council Chambers of the Municipal Building, on Thursday, March 29, 1973, at 7:30 p.m., with Council President Charlotte Zietlow presiding.

SPECIAL SESSION
BLOOMINGTON COMMON
COUNCIL, BLOOMINGTON,
INDIANA

Present: James Ackerman, Richard Behen, Hubert Davis, Wayne Fix, Sherwin Mizell, Jack Morrison, Alfred Towell, Brian De St. Croix, Charlotte Zietlow.

ROLL CALL

CITY OFFICIALS PRESENT: James Wray, Director of Transportation; Grace Johnson, City Clerk.

OTHERS PRESENT: About 10 people including members of the press.

Council President Zietlow noted that this meeting was called for the purpose of finishing the agenda of the regular meeting of March 15, 1973.

Councilman Behen moved that Ordinance No. 73-13 be removed from the table.

Ordinance No. 73-13
Utility Service Board

Councilman De St. Croix seconded the motion.

The motion was carried by a unanimous voice vote.

Councilman Behen moved that Ordinance NO. 73-13 be amended by including, in the section concerning membership, that the members of the board be residents of the City of Bloomington, to be worded as follows - the first sentence of the section on Membership would read: "The Board shall be composed of five (5) members, all of whom shall be residents of the city of Bloomington, not more than a simple majority of whom shall be of the same political party." Councilman Ackerman seconded the motion.

The motion was carried by a ROLL CALL VOTE OF AYES 9, Nays 0.

Councilman Mizell moved that Ordinance NO. 73-13 be amended by inserting after the first sentence of section 1 (Creation, Title, Objectives), the following sentence: "This board shall be a policy making board as prescribed under Indiana Acts 8-1-2." Councilman Ackerman seconded the motion.

Councilman Mizell said that is simply a matter of crossreferencing back to the state laws permitting establishment of such a board.

The motion was carried BY A ROLL CALL VOTE OF AYES 9, Nays 0.

Councilman Behen moved that Ordinance NO. 73-13 be amended by inserting the phrase "shall not" in the place of the phrase: "is in no way to" in the first sentence of section 2. Councilman De St. Croix seconded the motion.

The motion was CARRIED BY A ROLL CALL VOTE OF AYES 9, Nays 0.

Councilman Mizell moved that the motion to amend Ordinance No. 73-13 by inserting the proposed amended section 5 on removal: "Removal. Members of the Board shall be subject to dismissal for cause by the Mayor in the case of Mayoral appointments or by the Council in the case of Council appointments." Councilman Towell seconded the motion to remove the motion from the table.

The motion was carried by a unanimous voice vote.

Thence followed discussion of the merits of spelling out the meaning of the legal term "cause" (see the minutes of the meeting of March 15, 1973, at which time these points were also brought out.). Councilman Davis referred to the comments made by Mr. Wackowski, Human Rights attorney, at the last meeting concerning removal of members of the human rights commission for cause.

Councilman Morrison said he thought it was important for the city to have some control over the people who would be running the city's utilities business.

Councilman Mizell moved that the motion be amended to read as follows: "Removal. Members of the Board shall be subject to dismissal for cause after notice and right to public hearing before the mayor and the common council. There must be seven votes for dismissal of a Board member with councilmen and the mayor having one vote each. 'Cause' shall include, but not be limited to: gross neglect of duty, misconduct with respect to duties in connection with the Board, excessive absenteeism from Board meetings. Absenteeism shall be defined as excessive when a Board member without reasonable cause misses three consecutive regularly scheduled Board meetings." Councilman Ackerman seconded the motion.

There was discussion of this motion. Points brought out were that it might not be desirable to specify what excessive absenteeism is, that it might not be legal for the mayor and the council to have equal voting power in this instance because of the separation of powers that is supposed to exist between the executive and legislative branches.

Councilman Ackerman moved that Councilman Mizell's motion be amended by deleting the last two sentences, beginning with "Cause shall include...." Councilman De St. Croix seconded the motion.

Councilman Mizell said that he is concerned about the problem of absenteeism and noted that a number of existing boards and commissions are plagued with.

Councilman Towell said he thought that perhaps absenteeism is one place where there is not a good legal term of art definition and maybe it should be specified as to just what absenteeism, in the extreme, is.

Councilman De St. Croix said he thought that this could perhaps be handled by the Board itself in setting up its own procedures and policy guidelines.

Councilman Morrison said he did not think there would be as much of a problem with absenteeism when there is a salary as with boards and commissions, whose members are not salaried.

The question was called. Councilman Ackerman's motion was CARRIED BY A ROLL CALL VOTE OF AYES 8, Nays 1 (Nay: Mizell) Council Mizell said that he was voting against the motion to underscore the necessity of the Board maintaining some sort of control over absenteeism.

Councilman Davis said he thought there was a difference between the appointment and the removal of a member of the Board and that it should be more difficult to remove a member than to appoint one. He said he therefore did not think it would destroy the distinction between the appointment powers of the mayor and the council to require the action of the mayor and the council to remove a member. But I do think it would be better to have the mayor and the council concurring in some way in a removal rather than a procedure where the votes are divided.

Councilman De St. Croix said he was concerned about the possibility of political manipulation arising in an instance where the mayor and the council were politically opposed. He said the provision that there be notice and a public hearing, if desired, insures that there can't be that kind of manipulation or that it would become a political football.

Council president Zietlow said she was concerned about the seven

votes provision creating a lot of problems.

The question was called. the motion was DEFEATED BY A ROLL CALL VOTE OF AYES 4, Nays 5 (Aye: Mizell, Ackerman, Behen, Fix).

Councilman De St. Croix moved that the motion be amended by rewording Section 5 on removal to read as follows:
"Removal. Members of the Board shall be subject to dismissal for cause after notice and right to public hearing before the mayor and the common council, the right to public hearing to be exercised within thirty days after notice. Such dismissal for cause shall be by the mayor in the case of mayoral appointments and by the council in the case of council appointments."
Councilman Ackerman seconded the motion.

There was much discussion surrounding this motion (on side one of the tape of this meeting).

The question was called. THE MOTION WAS CARRIED BY A ROLL CALL VOTE OF AYES 9, Nays 0.

Councilman Towell moved that the motion be amended by adding to section 5, removal the following: "Members shall also be subject to dismissal for excessive absenteeism. Absenteeism shall be deemed excessive when a board member, without reasonable cause, is absent from three consecutive regularly scheduled board meetings."
Councilman De St. Croix seconded the motion.

Councilman Towell - I think it is important to make absenteeism separate from cause to make it more objective.

Councilman De St. Croix - this would only require that a board member attend four out of twelve meetings a year.

The question was called. The motion was CARRIED BY A ROLL CALL VOTE OF AYES 9, Nays 0.

Councilman Towell moved that section 5, removal be further amended by changing the first sentence to read: "Members of the Board shall be subject to dismissal for cause by the mayor or by the council."

THERE WAS NO SECOND TO THIS MOTION.

Councilman Towell said he could see a situation where one or the other appointed a crony and would never take action for removal.

Councilpresident Zietlow restated the motion on the floor: To insert Section 5 on removal as follows:
"Removal. Members of the Board shall be subject to dismissal for cause after notice and right to public hearing before the mayor and the common council, the right to public hearing to be exercised within thirty days after notice. Such dismissal for cause shall be by the mayor in the case of mayoral appointments and by the council in the case of council appointments. Members shall also be subject to dismissal for excessive absenteeism. Absenteeism shall be deemed excessive when a board member, without reasonable cause, is absent from three consecutive regularly scheduled board meetings."

THE MOTION to insert this section WAS CARRIED BY A ROLL CALL VOTE OF AYES 7, Nays 2 (Nay; Towell, Ackerman).

Grace Johnson pointed out that there were some differences between the various proposed amended versions of the ordinance and that the section 2 which she read at the meeting of March 15 and which was approved by the council for inclusion in the ordinance did not include the following:

At the end of paragraph two, of section 2, the sentence:
"In no case shall utilities funds be expended except in compliance with the budget ordinance."

and in paragraph three, the second sentence, in toto, would read "Such manager may be removed by such board for cause, at anytime, after notice and a hearing."

Councilman Ackerman moved that these sentences be included in the Ordinance No. 73-13. Councilman Davis seconded the motion.

THE MOTION WAS CARRIED BY A ROLL CALL VOTE OF Ayes 9, Nays 0.

councilman De St. Croix moved that Ordinance No. 73-13, as amended, be adopted. Councilman Morrison seconded the motion.

THE MOTION WAS CARRIED BY A ROLL CALL VOTE OF AYES 9, Nays 0.

(Councilman Ackerman left to attend a meeting of the Animal Control Commission.)

Councilman Fix asked if it would be possible, by the next council meeting, to have a date set by which the Council would have its appointments to the Utility Service Board made. Councilpresident Zietlow thought the council could meet shortly and work on this.

Councilman De St. Croix moved that Ordinance No. 73-14 be advanced to second reading and read by the Clerk by title only Councilman Morrison seconded the motion. The motion was carried by a unanimous voice vote.

ORDINANCES - SECOND
READING
No. 73-14 - annexation
North High School

Grace Johnson read Ordinance NO. 73-14 by title only.

Councilman DeSt. Croix moved that Ordinance No. 73-14 be adopted. Councilman Morrison seconded the motion.

Councilpresident Zietlow explained that this is a voluntary annexation of property on which the north high school is located.

ORDINANCE No. 73-14 WAS ADOPTED BY A ROLL CALL VOTE OF AYES 8, Nays 0.

Councilman De St. Croix moved that Ordinance No. 73-15 be advanced to second reading and read by the clerk by title only. The motion was seconded by councilman morrison and carried by a unanimous voice vote.

Ordinance NO. 73-15
Annexation
curry pike property

Grace Johnson read Ordinance NO. 73-15 by title only.

Councilman De St. Croix moved that Ordinance NO. 73-15 be adopted. Councilman Mizell seconded the motion.

Councilpresident Zeitlow explained that this is the voluntary annexation of property on Curry Pike just north of Doyle Avenue

ORDINANCE No. 73-15 WAS ADOPTED BY A ROLL CALL VOTE OF AYES 8, Nays 0.

Councilman De St. Croix moved that Ordinance No. 73-16 be advanced to second reading and ~~xxxxxx~~ read by the clerk by title only. The motion was seconded by Councilman Morrison and carried by a unanimous voice vote.

No. 73-16 - Annexation
401 N. Adams

Grace Johnson read Ordinance NO. 73-16 by title only.

Councilman DeSt. Croix moved that Ordinance No. 73-16 be adopted. Councilman Morrison seconded the motion.

Councilpresident Zietlow explained that this a voluntary annexation of property at 401 N. Adams.

ORDINANCE NO. 73-16 WAS ADOPTED BY A ROLL CALL VOTE OF AYES 8, NAYS 0.

Councilman De St. Croix moved that Ordinance NO. 73-17 be advanced to second reading and read by the clerk by title only. Councilman Morrison seconded the motion. The motion was carried by a unanimous voice vote.

no. 73-17 - annexation 307 E. 19th Street

Grace Johnson read Ordinance NO. 73-17 by title only.

Councilman DeSt. Croix moved that Ordinance NO. 73-17 be adopted. Councilman Morrison seconded the motion.

Councilpresident Zietlow explained that this is the voluntary annexation of property at 307 E. 19th Street.

ORDINANCE No. 73-17 WAS ADOPTED BY A ROLL CALL VOTE OF AYES 8, Nays 0.

Councilman De St. Croix meved that Ordinance No. 73-19 be advanced to second reading and read by the clerk by title only. Councilman Mo-rison seconded the motion. The motion was carried by a unanimous voice vote.

No. 73-19 - annexation 3B Company and Urban Development Corp. propert

Grace Johnson read Ordinance No. 73-19 by title only.

Councilman DeSt. Croix moved that Ordinance No. 73-19 be adopted. Councilman Morrison seconded the motion.

Councilpresident Zietlow explained that this is the voluntary annexation of property located west of leonard springs road, owned by the 3B company and the urban development Corp.

ORDINANCE No. 73-19 WAS ADOPTED BY A ROLL CALL VOTE OF AYES 8, Nays 0.

Councilman De St. Croix moved that Ordinance NO. 73-20 be advanced to second readying and read by the clerk by title only. Councilman Morrison seconded the motion. The motion was carried by a unanimous voice vote.

No. 73-20 - annexation Whitehall pike and post road

Grace Johnson read Ordinance No. 73-20 by title only.

Councilman De St. Croix mvoed that Ordinance No. 73-20 be adopted. Councilman Morrison seconded the motinn.

Councilpresident Zeitlow expalined that this is a voluntary annaexation of property at Whitehall pike and post road.

ORDINANCE NO. 73-20 WAS ADOPTED BY A ROLL CALL VOTE OF AYES 8, Nays 0.

Appropriations
Ordinance No. 73-2
BPW #73 - revenue
sharing money
for Third Street

Jim Wray, Development Coordinator, addressed the Council concerning the appropriation of item 73 in the Board of Public Works Account of Revenue Sharing funds. He said that the university responded quite favorably immediately after this ordinance was read for the first time. What I would like to do in the next week is put a map of the university's proposal which has been reviewed by myself and by the city's engineering and planning departments, in the council office for the members to study and then present it at the council meeting next month. Council concurred in the proposal, of postponing consideration.

(Councilman Ackerman returned to the meeting.)

Councilman De St. Croix moved that Ordinance No. 72-85 be removed from the table (it having had second reading in December). Councilman Morrison seconded the motion.

No. 72-85 -
Telecommunications
Council

THE MOTION WAS CARRIED BY UNANIMOUS VOICE VOTE.

Councilman Towell moved that the proposed amended version of the Ordinance be substituted for the original version of Ordinance No. 72-85. Councilman De St. Croix seconded the motion.

At the request of the Council, Grace Johnson, City Clerk, read the proposed amended version of Ordinance No. 72-85.

THE MOTION WAS CARRIED BY A ROLL CALL VOTE OF AYES 9, Nays 0.

Councilman De St. Croix moved that Ordinance No. 72-85 as amended be adopted. Councilman Towell seconded the motion.

Councilman Behen: I have been trying for weeks to rationalize in my mind why one particular business comes under such severe council scrutiny any more so than Indiana Bell, the gas company, the light company, the radio stations, the television stations. Will we eventually have committees to scrutinize the performance of all of these areas and could it not even go further than this? I think this is out and out discrimination against one particular business in the community that we have a committee that tells them what they may and may not do. I can't see why this has been done.

Councilman Towell: I don't believe that the committee would be telling the company what to do. We do franchise this particular business and in the case of some of the other companies mentioned they are franchised or looked over by agencies of the state and I do think it is in the public interest that they be looked over by agencies of the state so there is a parallel to be drawn, between the city of Bloomington and this particular business.

Councilman De St. Croix: In effect I think the differentiation here is that cable tv has entered into a contract with the city to provide a certain type of service to the citizens of this community.

I think the city has a responsibility to see that the franchise it is letting is in fact lived up to. I don't consider this to be discriminatory - in fact, I consider it to be protection of the community at large.

Councilman Towell: All we are saying here is that if the City passes this, is that the City wishes to have a certain administrative body and I don't see that the company's interests directly come into this.

John Walters addressed the Council: I am employed by the Indiana Area of the United Methodist Church, and have been for the past year, to be the coordinator of a pilot project in cable television in Bloomington. I would like to speak to this ordinance, in favor of it. I would also like to quote from a booklet called a short course in cable which is considered by most people to be a very good introductory statement to cable television.

It is put out by the United Church of Christ in the United States. Under the section on community supervision it reads: "The cable organizing group should press for the establishment of an officially recognized, independent, watchdog agency to protect the public's interest. This agency should work with the cable operator to see that his promises of facilities and programming are carried out, and that the public has access to the system on a non discriminatory basis. Part of the board's function - in our case the telecommunications council - might be to hold regular public meetings permitting citizens to express their views on the cable operation. Through this means and through community surveys the agency could evaluate on a continuing basis the community's needs and the cable system's success in meeting them." Then they follow with recommendations as to what such a council might do. I have had this ordinance long enough to look at it and because of my interest in the situation and because of my work with the local cable people and with the methodist churches in Bloomington in the past year and because of the policies that our denomination have and the interest that they have vested in such areas as these I would like to make some suggestions for your consideration in concern of the ordinance. Two weeks ago I attended a cable seminar in Atlanta, Georgia, at which seminar there were several people who are well known for their activities within the area of cable. Two people in particular - Mr. Smith, the editor of the wired nation, which now is considered to be the classic on cable communications, and George Stoneys, the director of the alternate media ~~max~~ center for the new york university. I showed this ordinance to both of them and asked them to respond to it and in light of that and some other reading that I have done I would like to make these suggestions. That instead of having these three persons appointed by the mayor, that you consider having them elected by the persons who, at the time of the election, are subscribers to cable television - for two reasons. One, so that the subscribers to cable television may participate meaningfully in the setting up of such a council and two, so that this council and its responsibilities may come into the public attention more than it might if organized some other way. Secondly, I would like to suggest that members of the telecommunications council, whether they are elected or appointed, have some qualification in the ordinance, some of which might be that any person who is a member of the telecommunications council whether elected or appointed, shall be a subscriber of cable television and shall have been a subscriber for at least one year prior to the election or appointment. And that any member demonstrate that he possesses some background and interest in cable television beyond a passing interest. And that such members, whenever possible, represent the access interests of governmental access, educational access, and public access. And that no employees, stockholders or other persons with a vested interest in a cable company be permitted to serve on the telecommunications council. In sections one and two of the ordinance, under C, the duties, the first two deal with franchising agreements. It is the responsibility of the city council to see that the franchise is lived up to by all parties of it. I would like to suggest some of the suggestions made in this brochure also be considered for additions to the ordinance. One of those would be that such council would be a participant in the setting of fees for the use of production facilities or for access by profit making or fund raising entities. That such council would be involved in investigating complaints; that such council would be involved in arbitrating disputes which might arise between members of the public or government officials and the cable operator. And that such council be empowered to also undertake to raise funds to supplement program production resources, particularly in applying for grants from corporations, raising money for its own use and its own promotion or to promote public access.

In response to questions from Councilman Behen concerning the FCC regulations of cable television, Mr. Walters said that the FCC regulations are not the same for all franchises, depending on the date of each particular franchise and the FCC regulations in force at that time. He said also that FCC regulations are incomplete in the area of public access to cable television. He said: I think that everyone involved in cable television around the country will tell you that in every city there is problems with cable because the FCC regulations are not clear. This and the fact that the franchise granted ~~zhenzixmx~~ by the city to the cable company is quite different from other franchises granted by the city, says to me that the city should have a regulatory body.

Council president Zietlow said she thought a regulatory body is needed because, in the instance of cable television, the people of Bloomington, do not have a choice - they either take the product offered by the one company or nothing.

Councilman DeSt. Croix said he thought the ordinance would create a mechanism by which the city could fulfill its obligations in regards to the franchise.

Councilman Towell: In the meeting that I had with Vernone Sparkes, Councilman Davis and the company about this ordinance, we finally came to an agreement that if the FCC would accept the ordinance, the company would.

Councilman Towell read the following statement from Vernone Sparkes into the record: "To Members of the Bloomington City Council, from Vernone Sparkes, re: Bloomington Telecommunications Council Ordinance. On the basis of recent discussion with persons on the FCC Cable TV Bureau, the Television Information Office, and the Broadcasting and Film Commission of the National Council of Churches, I can affirm without question that the ordinance as presently drawn is at no point in conflict with Federal Communication Commission law and regulation. I can further affirm that the spirit and intent of the ordinance is positively supported by each of the persons consulted, and further, by persons within the National Cable Television Association itself."

There was extensive discussion of this ordinance. Representatives from Monroe All-Channel Cablevision addressed the Council; Vernone Sparkes also addressed the council. (The discussion will be kept on tapes in the council office for one year.)

Councilman Fix moved that Ordinance No. 72-85 be amended by deleting Sections I(c)(i) and I(c)(ii). Councilman Behen seconded the motion.

Councilman De St. Croix moved to amend the motion by deleting section I(c)(ii) and rewording and retaining section I(c)(i) to read: "to investigate subscriber complaints and action by the Cable Television company to satisfy these complaints." Councilman Towell seconded the motion. The MOTION WAS CARRIED BY A ROLL CALL VOTE OF AYES 6, Nays 3 (Nay: Towell, Fix, Zietlow)

Councilman Mizell moved the previous question (to close debate). Councilman Ackerman seconded the motion. The motion was CARRIED BY A ROLL CALL VOTE OF AYES 9, Nays 0.

The question was called on the amended motion introduced by Councilman Fix. The motion was DEFEATED BY A ROLL CALL VOTE OF AYES 4, Nays 5 (Aye: Morrison, Mizell, Ackerman, De St. Croix)

Councilman Behen moved that Ordinance No. 72-85 be amended by deleting Section I(c)(i) and I(c)(ii). Councilman Ackerman seconded the motion. The motion was CARRIED BY A ROLL CALL VOTE OF AYES 5, Nays 4 (Nay: Towell, Davis, De St. Croix, Zietlow)

Councilman Fix moved that Ordinance No. 72-85 be amended by putting back in the deleted section I(c)(ii). Councilman De St. Croix seconded the motion. The motion was CARRIED BY A ROLL CALL VOTE OF AYES 9, Nays 0.

Councilman Ackerman moved that Ordinance No. 72-85 be amended by putting back in the deleted section I(c)(i). Councilman Davis seconded the motion. The motion was CARRIED BY A ROLL CALL VOTE OF AYES 5, Nays 4 (Nay: Morrison, Mizell, Behen, Fix)

Councilman Davis moved that Ordinance No. 72-85 be amended by inserting a new section to be numbered c(iii) to read as follows: "To participate in the setting of fees for the use of production facilities or for access by profit-making or fund-raising entities." and that the present section c(iii) and all following be renumbered to reflect this insertion. Councilman De St. Croix seconded the motion.

THE MOTION WAS DEFEATED BY A ROLL CALL VOTE OF AYES 1, Nays 8 (Aye: Davis)

Councilman Towell moved the previous question (to close debate) Councilman Behen seconded the motion. The MOTION TO CLOSE DEBATE WAS CARRIED BY A ROLL CALL VOTE OF AYES 9, Nays 0.

THE MOTION TO ADOPT ORDINANCE No. 72-85 AS AMENDED WAS CARRIED BY A ROLL CALL VOTE OF AYES 7, Nays 2 (Nay: Morrison, Behen).

Councilman De St. Croix moved that Resolution No. 73-21 be tabled so that it could be studied by the planning and redevelopment departments. Councilman Towell seconded the motion. The motion was carried by a unanimous voice vote.

RESOLUTIONS

73-21 - zoning

Bruce Wackowski, Human Rights Attorney, addressed the Council: I have distributed to you a list of various things the human rights commission has done, both prior to and since adoption of the ordinance.

REPORTS FROM OFFICIAL BOARDS AND COMMISSIONS

Human Rights Commission

The report lists a summary of the coverage and the scope of the powers of the commission. It talks a little bit about professionalization of our operation, with the addition of myself as attorney-director, the adoption of rules and regulations for processing complaints and the holding of public hearings, our acquisition of some investigators on a volunteer basis, including two full time law students, the addition of a part-time secretary as well as a work-study secretary. Also, the report outlines the cooperational basis which has been established between ourselves and HUD and the equal opportunity officer and the state and other local civil rights agencies and organizations. On one of the pages of the report there is a breakdown of the complaints which have been officially received since the ordinance has been passed - the human rights commission dealt with five complaints prior to the adoption of the ordinance. Since then we have received 13 complaints.

In march we had probable cause hearings on four complaints, in three of which probable cause was found, one in which no probable cause was found and is being appealed to the commission right now. The three in which probable cause was found have been slated for public hearings in the council chambers on either Saturday morning or a wednesday afternoon. Tomorrow two consent agreements will be mailed out.

We have also outlined in the report the second main function of the commission which will really get initiated in april and that is the screening of and compliance review of city contractor's employment practices and for that purpose a contract review committee is going to be established at the regular april meeting of the human rights commission, to assist the mayor's office in monitoring affirmative action programs and compliance review of affirmative action provisions in contracts with the city. Also in the summary it is mentioned that the commission is not only an enforcer but also serves other public functions of information gathering and publication and sponsorship and participation in community affairs that are within the area of the commission's interest. Elections of new officers of the commission are also in april. Brochures have been distributed throughout the city that include complaint forms for those people who find it difficult to get into the office during office hours. all they have to do is fill out

the complaintform and mail it in; the complaint can then be acted on on that basis. Thank you.

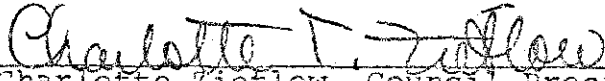
Councilman Towell moved that the Human Rights Commission be commended for the work they have done so far in carrying out the intentions of the council in the human rights ordinance passed by the council. Councilman De St. Croix seconded the motion. the motiann was carried by a UNANIMOUS VOICE VOTE.

Councilman Ackerman reported for the animal control commission: one of the roles of the commission is to ~~thax~~ see that ordinances passed by the council are enforced Jim Ackerman by the duly ordained people at the animal shelter. This has become very difficult to do with the exotic pet ordinance. We have not been able to carry this out. As a matter of fact, although we passed that ordinance last summer, advertisements are still being run daily in the Indianapolis paper and there is total and flagrant violation of this ordinance at the stewart pet shop down on walnut street. I would like to urge or ask if the council would pass a resolution asking the city attorney to press in the courts for a restraining order until this case can be cleared up in the courts.

MESSAGES FROM
COUNCILMEMBERS

Councilman De St.Croix moved that the City Council urge the city attorney to get a restraining order against the sale of exotic pets in Bloomington until this matter can be cleared up in the courts, and to inform the council of his progress in this matter. Councilman Davis seconded the motion. The motion was carried by a ROLL CALL VOTE OF AYES 9, Nays 0.

Councilpresident Zietlow adjourned the meeting at 11:40 p.m.


Charlotte Zietlow, Council President

ATTEST:


Amy G. Maan Council Secretary